

the taking of such Acknowledgment, there shall be paid to the Party or Parties taking the same, One Shilling and no more: And the Clerk shall immediately, upon the Receipt of such Deed, endorse the Time of his receiving the same on the Back thereof, and shall well and truly enroll such Deed of Conveyance in a good sufficient Book in Folio, to be regularly alphabetized in the Names of both Parties, and to remain in the Custody of the Clerk of the same Court, for the Time being, among the Records of the same Court. And that the same Clerk shall, on the Back of every such Deed, in a full legible Hand, make an Endorsement of such Enrolment, and also of the Folio of the Book in which the same shall be enrolled, and shall to such Endorsement set his Hand.

C H A P.
XLVII.

Fee One Shilling.
The Clerk to enroll the Conveyance, and endorse the Enrolment on the Back of the Deed, &c.

* By 1725, ch. 8, Probates of Deeds, &c. either in the Mayor's Court, or before two Magistrates of the City of Annapolis, and all Deeds of Lands lying within the Precincts of that City, and acknowledged, &c. shall be good in Law, as if made and acknowledged before a Provincial Justice, &c.

VIII. And provided always, and be it further Enacted, by the Authority aforesaid, That when the Grantor or Grantors, Bargainer or Bargainers of such Lands, Tenements or Hereditaments, shall live remote from either the Provincial Court, or County Court where the Land lieth, it shall and may be lawful for such Grantor or Bargainer to acknowledge the same in the County where such Bargainers live: And a Certificate of such Acknowledgment, under the Hand of the County Clerk, and under the Seal of the same County, of such Acknowledgment, shall be taken, deemed, reputed, and be as good and valid, as if the same had been acknowledged either in the Provincial, or County Court where such Land lieth; and be a sufficient Warrant for such County Clerk, where the Land lieth, to enroll the same. And if any such Grantor or Bargainer of any Lands or Tenements as aforesaid, shall happen to be out of this Province, within any of his Majesty's Dominions, at the Time of the Ensealing such Writing or Writings indented, so as the same cannot be acknowledged, as is before directed, or enrolled within the Time for that Purpose herein before limited; That in every such Case, such Lands or Tenements as aforesaid shall be acknowledged by a Letter of Attorney, well and sufficiently proved, either in the Provincial, or County Court where such Lands or Tenements lie; or before One Justice of the Provincial Court, or Two Justices of the County Court as aforesaid, and be enrolled as aforesaid; any thing herein before contained to the contrary thereof notwithstanding.

Grantors living remote from the Provincial, or County Court, where the Land lieth, may acknowledge in the County wherein they reside, &c.

Being out of the Province, within the King's Dominions, at the perfecting of the Deed: Acknowledgment may be made by Attorney.

IX. And be it further Enacted, by the Authority aforesaid, That every such Writing indented, to be acknowledged and enrolled as aforesaid, shall have Relation, as to the Passing and Conveying of the Premises, and the Estate and Estates thereby passed, or intended to be passed and conveyed, by and from the Day of the Enrolment of the same, and not from the Day of the Date thereof; and shall at all Times be construed and taken more favourably and beneficially for the Benefit and Advantage of the Grantee or Grantees; and more strongly for the barring the Grantors therein to be named, and according to such Intents, as by the Words thereof, shall appear to have been the true Intent of the Parties thereunto; although the same be not so firmly drawn as is used in England; where the Advice of Council learned in the Law may be easily had.

Deeds of Sale, &c. to take Effect from the Day of Enrolment, and not of their Date.

X. Provided always, That if any Femme Covert be named as a Grantor in any such Writing indented, the same shall not be in Force to debar her or her Heirs, except upon her Acknowledgement of the same; and the Person or Persons, taking such her Acknowledgment, shall examine her privately, out of the Hearing of her Husband, "Whether she doth make her Acknowledgment of the same willingly and freely, and without being induced there- to by Fear or Threats of, or ill Usage by her Husband, or Fear of his Displeasure?" And that the Person or Persons so examining her, shall (in a Note or Certificate of the Taking of the said Acknowledgment) certify her

Proviso in Favour of Femme Coverts,

who shall be examined, and how,